

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BRIAN SALER,

Plaintiff,

-against-

ROSALYN EBRAHIMOFF, individually and in her official capacity as Referee of the Family Court of the State of New York,

Defendant.

X

An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on May 19, 2006, adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated April 27, 2006, after a de novo review of the record; granting defendant's motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure because plaintiff failed to state a claim upon which relief can be granted; denying as moot plaintiff's motion for a more definite statement and request for judicial notice; and dismissing plaintiff's complaint with prejudice; it is

ORDERED and ADJUDGED that the Report and Recommendation of Magistrate Judge Lois Bloom is adopted; that defendant's motion to dismiss is granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure because plaintiff failed to state a claim upon which relief can be granted; that plaintiff's motion for a more definite statement and request for judicial notice are denied as moot; and that plaintiff's complaint is dismissed with prejudice.

Dated: Brooklyn, New York  
May 19, 2006

ROBERT C. HEINEMANN  
Clerk of Court